

The 24th Annual Real Property Retreat



April 29-May 1, 2005

**Silverado Country Club & Resort
Napa, California**

Register Online at www.calbar.ca.gov/rpsection

Dates To Remember:

- April 1: Hotel Reservation Deadline
- April 11: Early Registration Deadline
(Special Discounted Rate)
- April 22: Pre-Registration Deadline

Network and share ideas with Real Estate Professionals from around the state.

Enjoy golf, tennis, wine tasting and dinner in the heart of the Napa Valley.

Earn up to 11.75 Hour MCLE Credit, which includes 1.00 MCLE Hour Credit Legal Ethics and 1.00 MCLE Hour Credit Elimination of Bias in the Legal Profession.

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Presented By:

The Real Property Law Section

STATE BAR OF CALIFORNIA

Real Property Law Retreat Schedule of Events

FRIDAY, APRIL 29, 2005

1:30 – 3:00 p.m.

(1)

Concurrent Sessions (1.50 Hours MCLE Credit)

Escrow Issues: A California Lawyer's Ten Most Common Escrow Problems and How to Handle Them

Who Should Attend: *Lawyers representing buyers or sellers of real property.*

Speakers: **Laura S. Lowe**, LandAmerica Financial Group, Inc. (San Francisco)

Lewis J. Soffer, Miller, Starr & Regalia (Palo Alto)

David V. Westcott, Napa Land Title Company (Napa)

(2)

Estate Planning: Estate Planning Techniques and the Real Estate Lawyer

Who Should Attend: *Lawyers interested in estate planning techniques frequently used with regard to real property assets.*

Speakers: **Robin L. Klomparens**, Weintraub Genshlea Chediak Sproul (Sacramento)

J. Timothy Maximoff, Hoge, Fenton, Jones & Appel, Inc. (San Jose)

(3)

(1.00 Hour MCLE Credit of Legal Ethics)

UD Primer: Should They Stay or Should They Go: An Overview of California Lease Remedies

Who Should Attend: *Attorneys who represent clients who own or occupy real property.*

Speakers: **Jethro S. Busch**, Luscutoff, Lendormy & Assoc. (San Francisco)

Ivan Gold, Allen Matkins Leck Gamble & Mallory LLP (San Francisco)

3:15 – 4:45 p.m.

(4)

Concurrent Sessions (1.50 Hours MCLE Credit)

Financial Abuse of Elders

Who Should Attend: *Real property lawyers seeking an understanding of the statutes governing the financial abuse of elders.*

Moderator: **Dave Hofmann**, Hoge, Fenton, Jones & Appel, Inc. (San Jose)

Speakers: **Harold A. Justman**, Fimmel, Justman & Rible (San Mateo)

Melissa McCowan, Assistant District Attorney (San Mateo)

(5)

Marketing (No MCLE Credit)

Marketing Your Real Estate Practice For Success

Who Should Attend: *Lawyers interested in developing a high quality practice with a solid base of desirable clients.*

Speakers: **Ellen Blattel**, Blattel Communications (San Francisco)

Erik Cummins, San Francisco Daily Journal (San Francisco)

Kathleen Flynn, Sedgwick, Detert, Moran & Arnold (San Francisco)

5:00 – 6:30 p.m.

Wine Tasting Reception - Hosted by Hoge, Fenton, Jones & Appel, Inc.

6:30 – 8:30 p.m.

Family Barbecue in the Grove

8:30 p.m.

Section Leadership and Leadership Opportunities Party



SATURDAY, APRIL 30, 2005

7:30 – 8:00 a.m.

Continental Breakfast

8:15 – 9:30 a.m.

(6)

Concurrent Sessions (1.25 Hours MCLE Credit)

Hot Issues in Common Interest Development

Who Should Attend: *Transactional real estate attorneys who occasionally or frequently represent residential developers.*

Speakers: **Jerold H. Goldberg**, Hecht Solberg Robinson Goldberg & Bagley (San Diego)

A. John Hecht, Hecht Solberg Robinson Goldberg & Bagley (San Diego)

Jeffrey G. Wagner, Law Office Jeffrey G. Wagner (Walnut Creek)

Real Property Law Retreat Schedule of Events

- (7) **How to Get the Most out of Your Expert Witnesses**
Who Should Attend: Attorneys with some litigation experience seeking to make more effective use of their expert witnesses in the real estate litigation context.
Speakers: Marc A. Fong, Fong & Fong (Alameda)
Rene W. Luft, ScD., P.E., C.E., Simpson Gumpertz & Heger Inc. (San Francisco)
Stephen Stublarec, Latham & Watkins LLP (San Francisco)
Michael F. Waldron, MAI, Waldron & Associates, Inc. (Orange)
- (8) **In House Counsel: In House Counsels and What They Expect from Outside Counsel**
Who Should Attend: Private lawyers with clients who have in house lawyers.
Speakers: Elaine M. Anderson, Boston Properties (San Francisco)
Daniel T. Haug, Opus Corporation (Phoenix, AZ)
William W. Mayer, III, D.R. Horton California Region (Carlsbad)
Nancy T. Scull, Luce, Forward, Hamilton & Scripps (San Diego)
- 9:45 – 11:00 a.m.
(9) **Professor's Roundtable (1.25 Hours of MCLE Credit)**
Professor's Roundtable: An In-depth Analysis of the Year's Most Important Legal Developments
Who Should Attend: Real property lawyers interested in the year's most important legal developments.
Speakers: Roger Bernhardt, Professor of Law, Golden Gate University (San Francisco)
Raymond R. Coletta, Professor of Law, McGeorge School of Law (Sacramento)
Jon P. Dwyer, Emeritus Professor of Law, Boalt Hall University of California (San Francisco)
Dale A. Whitman, Professor of Law, University of Missouri–Columbia (Missouri)
- 11:15 a.m. – 12:30 p.m.
(10) **Keynote Speaker Attorney General Bill Lockyer**
- 12:30 p.m. **Lunch**
- 1:45 – 3:00 p.m.
(11) **Concurrent Sessions (1.50 Hours MCLE Credit)**
Mastering Insurance Language in Commercial Leases: Putting Together the Puzzle
Who Should Attend: The experienced transactional real estate attorney who practices regularly in the commercial lease area.
Speakers: Alexandra S. Glickman, Gallagher Real Estate and Hospitality Services, Arthur J. Gallagher & Co. (Glendale)
Michael E. Meyer, Piper Rudnick (Los Angeles)
- (12) **On the Waterfront: Land Use Lessons from the Oakland Estuary**
Who Should Attend: Real estate and land use attorneys involved in projects to redevelop bay, river, lake and other waterfront properties and conserve them for open space and parkland.
Speakers: Michael Ghielmetti, President, Signature Properties (Pleasanton)
Paul S. Kibel, Fitzgerald, Abbott & Beardsley (Oakland)
Brad McCrea, Bay Design Analyst - SF Bay Conservation & Development Commission (San Francisco)
Sandra Threlfall, Executive Director, Waterfront Action (Oakland)
- (13) **The New Market: Practical & Legal Issues with Syndicated Tenants In Common Transactions**
Who Should Attend: Attorneys representing investors, lenders and other individuals or entities involved in syndicated Tenants in Common transactions.
Speakers: William O. Passo, President, Passco Real Estate Enterprises, Inc. (Irvine)
Charles E. Shrank, Sidley Austin Brown & Word LLP (Chicago)
Darryl Steinhouse, Luce, Forward, Hamilton & Scripps LLP (San Diego)



Attorney General
Bill Lockyer



Real Property Law Retreat Schedule of Events

3:15 – 4:45 p.m.
(14)

Concurrent Sessions (1.50 Hours MCLE Credit)

Securitization of Loans: Surviving the Servicer

Who Should Attend: *Real estate lawyers who work with finance origination and service issues on behalf of lenders or borrowers.*

Speakers: Joseph B. Heil, Esq., Dechert, LLP (San Francisco)
Gary Whittington, Assistant General Counsel, AEGON USA Realty Advisors, Inc. (Cedar Rapids)

(15)

Streamlining the Office Lease Negotiation: Creating a Shorter, Fairer Lease Form—The Equity Office Experience

Who Should Attend: *The experienced transactional real estate attorney who practices regularly in the commercial lease area.*

Speakers: Jonathan M. Kennedy, Shartsis, Friese & Ginsburg LLP (San Francisco)
David Upshaw, Equity Office Properties (San Francisco)

(16)

The Road to Success: A Real Estate Trial from Start to Finish

Who Should Attend: *Attorneys handling litigation involving real property issues.*

Speakers: John E. Carey, Wild, Carey & Fife (San Francisco)
Richard G. Carlston, Miller, Starr & Regalia (Walnut Creek)
Elizabeth A. England, Carroll Burdick & McDonough (San Francisco)
Michele K. Trausch, Hanson Bridgett, et al. (San Francisco)

SUNDAY, MAY 1, 2005

8:00 – 9:00 a.m.

Continental Breakfast

9:00 – 10:30 a.m.
(17)

Concurrent Sessions (1.50 Hours MCLE Credit)

CA Brownfields Legislation: From All Appropriate Inquiry to Brownfields: An Update

Who Should Attend: *Transactional attorneys who encounter environmental issues in the purchase, sale or development of real property.*

Speakers: Jennifer L. Hernandez, Beveridge & Diamond, P.C. (San Francisco)
Thomas W. Kalinowski, Erler & Kalinowski, Inc. (Burlingame)
William H. Keener, U.S. Environmental Protection Agency Region 9 (San Francisco)

(18)

Employment Challenges in the Construction Industry—A Legal and Political Framework (1.00 Hour Elimination of Bias in the Legal Profession)

Who Should Attend: *People interested in legal, political and management solutions to bias in the construction industry.*

Speakers: Carole Bionda, Nova Group, Inc. (Napa)
Dena Cruz, First American Title Insurance Company (San Francisco)
Topher Delaney, T. Delaney, Inc. (San Francisco)
Sheryl A. Traum, Carroll, Burdick & McDonough (Walnut Creek)

10:45 a.m. – 12:15 p.m.
(19)

Concurrent Sessions (1.50 Hours MCLE Credit)

Title Insurance Woes—A W(h)ine Story

Who Should Attend: *Real Estate attorneys handling transactions and/or title insurance claims.*

Speakers: Laura S. Lowe, LandAmerica Financial Group, Inc. (San Francisco)
Mary Ann McKisson, Stewart Title Guaranty Company (Redwood City)
Scott D. Rogers, First American Title Company (San Francisco)

(20)

Mechanic's Lien Law: A Practical Perspective for the Real Estate Lawyer

Who Should Attend: *Real Estate Practitioners who need answers to commonly asked questions about mechanic's liens.*

Speakers: Arthur V. Plank, Hopkins & Carley (San Jose)
Jay M. Ross, Hopkins & Carley (San Jose)

Social Events

FRIDAY, APRIL 29, 2005

5:00 – 6:30 p.m.—Wine Tasting Reception

Hosted by Hoge, Fenton, Jones & Appel Inc.



Hoge
Fenton
Jones &
Appel Inc.
Attorneys at Law

6:30 p.m.

Enjoy dining in the beautiful outdoor setting at the Grove at Silverado. Spouses and guest tickets are \$55. Full 3-day Retreat registrants and children 10 and under are free.

8:30 p.m. – 11:00 p.m.—Section Leadership and Leadership Opportunities Party

Aspiring, alumni and current executive committee members, subsection chairs and Journal editors are invited for dessert, coffee and conversation. Open to all registrants and their guests.

SATURDAY, APRIL 30, 2005

12:30 – 5:30 p.m.—Golf Tournament

Players meet at the Silverado Golf Club at 12:30 p.m. The cost of \$140 per person includes a box lunch, green fee, carts, scoring, prizes, and refreshments. Prizes will be given for low gross score, low net score, longest drive and closes to pin. Winner's names will be posted on Sunday morning and prizes may be picked up in the registration area. Please note: A minimum number of players must register for this event to occur.

2:00 – 4:00 p.m.—Round Robin Tennis Tournament

Players meet at the Tennis Courts at 1:45 p.m. The cost of \$35 per player includes court fees, prizes, pro fees, scoring and refreshments.



Wine Reception & Dinner at the *Culinary Institute of America (CIA)*



AN EVENING OF CULINARY DELIGHT

Cost \$125 Transportation cost \$15

Come and savor a very special evening featuring the most memorable cuisine created by some of the finest chefs the industry has to offer at The Culinary Institute of America. Great cooking begins with great ingredients. The fresh, seasonal flavors of the gardens and farms of the Napa Valley inspire our cooking and shape your menu. Our culinary team has designed a menu unique to your event while maintaining traditions of the regional agriculture. The wines paired with your menu have been carefully selected by our Sommeliers, choosing from hundreds of varietals available in our award winning cellar, to perfectly compliment the flavors of the menu. Join us for an experience you'll savor and long remember.

HISTORY

Completed in 1889 as a cooperative winery serving upper Napa Valley grape growers, Greystone Cellars, with a planned capacity of 2 million gallons, was the largest stone winery in the world. The 117,000 square-foot facilities with 22-inch thick walls of locally quarried tufa stone was designed by Hammond McIntyre whose other winery designs in the Napa Valley include Trefethen, Inglenook (now Niebaum Coppola) and Far Niente. From the phylloxera epidemic in the vineyards at the close of the 19th century through the prohibition era, Greystone was virtually dormant. In 1950, Christian Brothers, a Catholic lay teaching order, purchased the property to increase production of their well-known brands of wines, brandies and ports under the direction of Brother Timothy, whose world-famous corkscrew collection (over 1000 items) is displayed on the first floor of Greystone. Heublein, Incorporated, an international distributor of food and beverages acquired Greystone and the exclusive marketing rights to the Christian Brothers' brands in 1990. Through the generosity of Heublein, Inc., the Culinary Institute of America was able to acquire the building, surrounding grounds and a 15-acre merlot vineyard to the northeast along Deer Park Road for roughly 10% of its \$14 million valuation in 1993. The Institute's renovation and seismic retrofit of the building was completed in August 1995, when the doors to Greystone were opened for classes for food and wine professionals from around the world.

Buses Depart at 6:15 p.m. (separate ticket required)

Reception—7:00 p.m.; Dinner—8:30 p.m.



Hotel Reservations

Silverado Country Club & Resort invites guest to step back in time and be pampered with luxury accommodations. Whether traveling on business or for pleasure, the Resort provides the undeniable comforts that keep guests coming back to this 1,200-acre retreat located at the gateway to the Napa Valley Wine Country.

Accommodations are found in private cottage suites clustered around hidden courtyards and secluded swimming pools surrounding the main mansion as well as lining the fairways of Silverado Resorts two golf courses. The Real Property Retreat attendees receive a special rate of \$275 for a one-bedroom suite. Each unit has its own unique decor, balcony or patio and private entrance.

To make your room reservations please call Silverado Country Club & Resort directly at 800.532.0500. Room reservations received after April 1, 2005 will be placed on a space and rate-available basis only. **RESERVE EARLY! Please identify yourself as part of the State Bar of California Real Property Retreat to obtain the special rate of \$275.** Preference will be given to full 3-day registrants.

The Silverado Country Club and Resort is located at 1600 Atlas Peak Road, Napa, California 94558 Tele: 707.257.0200. For further information about the Resort you may visit their website at <http://www.silveradoresort.com/>

Retreat Registration—Airline & Ground Transportation Information

Retreat Registration and Deadline: Your registration must be received no later than April 11th to receive the discount rate. Return the registration form to: PROGRAM REGISTRATIONS, STATE BAR OF CALIFORNIA, 180 HOWARD STREET, SAN FRANCISCO, CA 94105-1639. You may fax your registration form, along with your credit card information, to 415.538.2368. Special Saturday Only Registration: \$195

Special Assistance: For Special Assistance, please call 415.538.2393 or TDD 415.538.2231 for speech and hearing impaired.

Cancellations: A refund less a non-refundable fee of \$50 will be made for all cancellations received in writing by April 22, 2005. No refunds will be made for cancellations after April 22, 2005. All requests for refunds must be submitted in writing.

Airline Reservations: The State Bar of California has a discount program with United Airlines. The discounts are 10% off unrestricted full coach fares and 5% off any published (often restricted) fares. To make reservations, or for additional information, please call the United Group Meeting Desk at 800.521.4041 and refer to number 550QX.

Airport Transportation: Evans Airport Service provides airport transfers to and from San Francisco International Airport and Oakland International Airport. Evans picks up and drops off passengers at Silverado. Scheduled runs throughout the day are available. Reservations are required. To make your reservation please call Evans at 707.255.1559

For additional information: Please call Program Registrations for registration assistance at 415.538.2508 and call Theresa Raglen at 415.538.2393 for Program Content assistance.

Bar Number: _____ First Name or Nickname (as you wish it to appear on your badge) _____
(limited to 20 characters including spaces)

Name: _____ Email: _____

Phone: _____ Fax: _____

Firm Name: _____

Non-Attorney Spouse/Guest Name: _____

Address: _____ City, State, Zip: _____

Please call 415.538.2393 if you have dietary needs or restrictions.

Firm size: _____ Main Practice Area: _____

Your name may be released to other attendees/sponsors/exhibitors.

☐ Check here, if you don't want your information released.

EDUCATION SESSIONS: Please indicate which sessions you will attend.

Friday, April 29, 2005 - 1:30 - 3:00 p.m.

- ☐ (1) Escrow Issues
☐ (2) Estate Planning
☐ (3) UD Primer

3:15 - 4:45 p.m.

- ☐ (4) Financial Abuse of Elders
☐ (5) Marketing

Saturday, April 30, 2005 - 8:15 - 9:30 a.m.

- ☐ (6) Hot Issues in Common Interest Development
☐ (7) How to Get the Most out of Your Expert Witnesses
☐ (8) In House Counsel

9:45 - 11:00 a.m.

- ☐ (9) Professor's Roundtable

11:15 a.m. - 12:30 p.m.

- ☐ (10) Keynote Speaker Attorney General Bill Lockyer

1:45 - 3:00 p.m.

- ☐ (11) Mastering Insurance Language in Commercial Leases
☐ (12) On the Waterfront
☐ (13) The New Market: Practical & Legal Issues with Syndicated Tenants In Common Transactions

3:15 - 4:45 p.m.

- ☐ (14) Securitization of Loans
☐ (15) Streamlining the Office Lease Negotiation: Creating a Shorter, Fairer Lease Form
☐ (16) The Road to Success

Sunday, May 1, 2005 - 9:00 - 10:30 a.m.

- ☐ (17) CA Brownfields Legislation
☐ (18) Employment Challenges in the Construction Industry—A Legal and Political Framework

10:45 a.m. - 12:15 p.m.

- ☐ (19) Title Insurance Woes—A W(h)ine Story
☐ (20) Mechanic's Lien Law: A Practical Perspective For the Real Estate Lawyer

TICKETED EVENTS:

- 21) Friday Family Barbecue (free for 3-day registrants & their children 10 and under) ☐ I will attend ☐ I will not attend **FREE**
- 22) Number of children (10 and under) for the Friday Barbecue _____ **FREE**
- 23) Number of spouse/guests for Friday Barbecue _____ x \$55 = \$_____
- 24) Friday Section Leadership and Leadership Opportunities Party (free for 3-day registrants) ☐ I will attend ☐ I will not attend **FREE**
- 25) Saturday Continental Breakfast (free for 3-day and Saturday-only registrants) ☐ I will attend ☐ I will not attend **FREE**
- 26) Saturday Buffet Lunch (free for 3-day registrants & their children 10 and under) ☐ I will attend ☐ I will not attend **FREE**
- 27) Number of children (10 & under) for the Saturday Buffet Lunch _____ **FREE**
- 28) Number of spouse/guests for the Saturday Buffet Lunch _____ x \$40 = \$_____
- 29) Saturday Golf Tournament Number of Tickets _____ x \$140 = \$_____
- Handicap Index: _____
- Partner Handicap Index: _____
- 30) Round Robin Tennis Tournament Number of Tickets _____ x \$35 = \$_____
- Note: You may not necessarily play golf or tennis with the person with whom you sign-up.*
- 31) Saturday Night Reception & Dinner at the CIA Number of Tickets _____ x \$125 = \$_____
- 32) Saturday Night Reception & Dinner at the CIA Transportation Number of Tickets _____ x \$15 = \$_____
- 33) Sunday Continental Breakfast (free for 3-day registrants) ☐ I will attend ☐ I will not attend **FREE**

Registration Information: 415.538.2508
QUESTIONS: 415.538.2508
DEADLINE: Your registration must be received no later than April 22, 2005 (or April 11 for reduced rate registration)

MAIL TO: Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105-1639; **OR**
FAX TO: (415) 538-2368 (Credit Card registrations only. Do not mail original form if you fax)

REGISTER ONLINE AT: www.calbar.ca.gov/rpsection
REGISTRATION FEES

	Until April 11	After April 11	Total Cost
Section Member	\$395	\$420	\$_____
Non-Member	\$450	\$475	\$_____
(includes 2005 Real Property Law Section membership)			
Public Non-Profit Entity Attorney, Government Attorney, Full-Time Law Student or Professor (w/ copy of school ID)			
	\$315	\$340	\$_____
Saturday Only	\$195	\$195	\$_____

(Your full 3-day registration fee includes Education Sessions, Program Materials, Friday Dinner, Leadership Party, Saturday Continental Breakfast and Lunch and Sunday Continental Breakfast)

Subtotal from above ticket fees	\$_____
Subtotal from Registration fees	\$_____
Total amount enclosed or to be charged:	\$_____

PAYMENT: You may pay by check, **VISA or MasterCard**. Registrations will be accepted by fax only when accompanied by credit card information.

I authorize the State Bar of California to charge my Retreat Registration to my **VISA/MasterCard** account. (No other credit cards will be accepted.)

Account Number: _____

Expiration Date: _____

Cardholder's Name: _____

Cardholder's Signature: _____

STATE BAR EDUCATION FOUNDATION
Real Property Law Section
180 Howard Street
San Francisco, CA 94105-1639

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The 24th Annual Real Property Retreat

April 29–May 1, 2005
Silverado Country Club & Resort, Napa Valley

- **Only \$395 for Section Members**
- **Public Non-Profit Entity Attorney; Government Attorney; Full-Time Law Student or Professor \$315**
- **Special Saturday-only registration fee of \$195**

3-day registration fee includes Education Sessions, Program Materials, Friday Reception, Dinner and Section Leadership Party, Saturday Breakfast and Luncheon and Sunday Continental Breakfast.

Register Online at www.calbar.ca.gov/rpsection